

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

DONNA CORBELLO,

Plaintiff,

vs.

THOMAS GAETANO DEVITO et al.,

Defendants.

2:08-cv-00867-RCJ-PAL

ORDER

Plaintiff Donna Corbello is the widow and heir of Rex Woodard, who assisted Defendant Thomas Gaetano “Tommy” DeVito in writing his unpublished autobiography (the “Work”). Plaintiff alleges that DeVito and others wrongfully appropriated the Work to develop the screenplay for *Jersey Boys*, a hit musical based on the band The Four Seasons that has played in the United States, Canada, England, and Australia. The Court has determined that the Work will be entitled to “thin” copyright protection at trial. The Court denied Plaintiff’s motion to reconsider. Plaintiff has now asked the Court to certify the order for interlocutory review. Defendants have opposed the motion, arguing that the standards of 28 U.S.C. § 1292(b) have not been satisfied and noting that impending summary judgment motions may moot the issue, in any case. The Court declines to certify the order for interlocutory review.

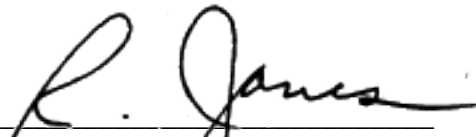
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CONCLUSION

IT IS HEREBY ORDERED that the Motion to Certify (ECF No. 917) is DENIED.

IT IS SO ORDERED.

Dated this 7th day of September, 2016.



ROBERT C. JONES
United States District Judge